IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 655 of 1985

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

R P SAGAR

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 655 of 1985

MR IS SUPEHIA for Petitioner No. 1

MR YN OZA for Petitioner No. 1

RULE SERVED for Respondent No. 1

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 28/11/2001

ORAL JUDGEMENT

What is challenged in this petition under Article 226 of the Constitution is the order dated 21-11-1984 suspending the petitioner from the post of Deputy

Collector on the ground that the petitioner was involved in a corruption case.

2. Affidavit-in-reply is filed pointing out that the petitioner was caught red-handed in a trap case arranged by Anti-Corruption Bureau and ACB submitted report dated 6-9-1984 to the effect that the petitioner was involved in a serious case of corruption for which he may be prosecuted.

3. Having heard the learned counsel for the parties and having perused the pleadings, it appears that no case is made out for interfering with the impugned order of suspension. A prima-facie case of corruption was made out against the petitioner as he was involved in a trap laid by the Anti-Corruption Bureau. The ad-interim relief granted by this Court on 5-4-1985 suspending the order of suspension deserves to be vacated as the petition itself deserves to be dismissed.

4. Accordingly, the petition is dismissed. Rule is discharged. The ad-interim relief dated 5-4-1985 is hereby vacated.

(M.S. Shah,J)
zgs/-